

FILED 08 MAY 05 17:21 JSDC-DRP

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

ADIDAS AMERICA, INC. and ADIDAS)	
AG,)	
)	Civil Case No. 01-1655-KI
Plaintiffs,)	
)	VERDICT FORM
vs.)	
)	
PAYLESS SHOESOURCE, INC.,)	
)	
Defendant.)	
_____)	

We the jury, being first duly empaneled and sworn in the above entitled cause, do find as follows:

Section I. Liability

- 1) On adidas's claim for federal trademark infringement of its Three-Stripe Mark, do you find for adidas?

☒ Yes ☐ No

- 2) On adidas's claim for federal trade dress infringement of its SUPERSTAR trade dress, do you find for adidas?

☒ Yes ☐ No

- 3) On adidas's claim for federal trademark dilution with respect to its Three-Stripe Mark, do you find for adidas?

☒ Yes ☐ No

- 4) On adidas's claim for federal trade dress dilution with respect to its SUPERSTAR Trade Dress, do you find for adidas?

☒ Yes ☐ No

- 5) On adidas's claim for state trademark dilution and injury to business reputation for the Three-Stripe Mark, do you find for adidas?

☒ Yes ☐ No

- 6) On adidas's claim for unfair and deceptive trade practices with respect to its Three-Stripe Mark, do you find for adidas?

☒ Yes ☐ No

- 7) On adidas's claim for unfair and deceptive trade practices with respect to its SUPERSTAR Trade Dress, do you find for adidas?

☒ Yes ☐ No

If you answered "Yes" to any of the preceding questions, please proceed to Section II of this form. If you did not answer "Yes" to any of the preceding questions, please sign and date this verdict form and return it to the bailiff.

Section II. Specification by Lot

Complete this section of the Verdict only if you have found that adidas proved at least one of its claims for at least one lot of Payless shoes. In the chart on the following pages, there is a list of the Payless shoes at issue in this case. For each Payless shoe, there is a picture of the shoe, the lot number, and the exhibit numbers. This information is also in your Juror Notebooks with a larger picture.

The styles of Payless shoes are identified by lot numbers. You must make a determination about each Payless shoe by lot number. For each lot number, please check "Yes" if you found for adidas on one or more of its claims of trademark/trade dress infringement, unfair and deceptive trade practices, or dilution. If you did not find for adidas on any of these claims for that lot number, please check "No." When you have finished the chart, you will have checked either "Yes" or "No" for each lot number.

///

///

///

As a short cut, if you found for adidas on each lot and will be checking “Yes” for each lot number, you may check “Yes” on the next question and skip the chart entirely.

_____ Yes – we found for adidas on each lot and would check “Yes” for each lot on the chart. Please proceed to Section III of this form.

✓ No – we found for adidas on at least one lot but not all lots. Please complete the entire chart and then proceed to Section III of this form.

Lot 382 PLF 665 DEF 2986				<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 486 PLF 666 DEF 2987				<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 890 PLF 667 DEF 2988				<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 2193 PLF 668 DEF 2989				<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 2244 PLF 669 DEF 2990				<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 2479 PLF 670 DEF 2991				<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 2523 PLF 671 DEF 2992				<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Lot 2740 PLF 672 DEF 2993		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 2941 PLF 673 DEF 2994		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 3041 PLF 674 DEF 2995		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 3047 PLF 675 DEF 2996		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 3066 PLF 676 DEF 2997		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 3121 PLF 677 DEF 2998		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 3144 PLF 678 DEF 2999		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Lot 3156 PLF 679 DEF 3000		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 3589 PLF 680 DEF 3001		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 3601 PLF 681 DEF 3002		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 3714 PLF 682 DEF 3003		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 3917 PLF 683 DEF 3004		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 3920 PLF 684 DEF 3005		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 4146 PLF 685 DEF 3006		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Lot 4778 PLF 686 DEF 3007		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 5865 PLF 687 DEF 3008		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 7152 PLF 688 DEF 3009		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 7153 PLF 689 DEF 3010		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 7166 PLF 690 DEF 3011		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 7273 PLF 691 DEF 3012		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 7603 PLF 692 DEF 3013		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Lot 7687 PLF 693 DEF 3014		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 7689 PLF 694 DEF 3015		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 8023 PLF 695 DEF 3016		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 8176 PLF 696 DEF 3017		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 9055 PLF 697 DEF 3018		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Lot 9222 PLF 698 DEF 3019		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 9225 PLF 699 DEF 3020		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Lot 9481 PLF 700 DEF 3021		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 9482 PLF 701 DEF 3022		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 9828 PLF 935 DEF 3023		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 10287 PLF 703 PLF 704 DEF 3024		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 10604 PLF 705 DEF 3025		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 10648 PLF 706 DEF 3026		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 11203 PLF 707 DEF 3027		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 11223 PLF 708 DEF 3028		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Lot 11224 PLF 709 DEF 3029		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 11225 PLF 710 DEF 3030		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 12070 PLF 711 DEF 3031		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 12167 PLF 937 DEF 3032		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 12168 PLF 712 DEF 3033		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 12524 PLF 713 DEF 3034		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 12525 PLF 714 DEF 3035		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Lot 13262 PLF 715 DEF 3036		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 13266 PLF 716 DEF 3037		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 13375 PLF 717 DEF 3038		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 13390 PLF 718 DEF 3039		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 13467 PLF 719 DEF 3040		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 13715 PLF 720 DEF 3041		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 14011 PLF 721 DEF 3042		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 14211 PLF 722 DEF 3043		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Lot 14334 PLF 723 DEF 3044		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 14858 PLF 724 DEF 3045		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 16087 PLF 725 DEF 3046		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 16607 PLF 726 DEF 3047		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 16982 PLF 727 DEF 3048		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 17148 PLF 728 DEF 3049		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 17494 PLF 729 DEF 3050		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Lot 18622 PLF 730 DEF 3051			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 18684 PLF 731 DEF 3052			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 18748 PLF 732 DEF 3053			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 19097 PLF 733 DEF 3054			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 19355 PLF 734 DEF 3055			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 19357 PLF 735 DEF 3056			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 19411 PLF 736 DEF 3057			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Lot 19451 PLF 737 DEF 3058		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 19452 PLF 738 DEF 3059		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 19547 PLF 739 DEF 3060		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 19627 PLF 740 DEF 3061		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 19761 PLF 741 DEF 3062		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 19899 PLF 742 DEF 3063		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 20049 PLF 743 DEF 3064		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Lot 20374 PLF 744 DEF 3065		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 20520 PLF 745 DEF 3066		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 20576 PLF 746 DEF 3067		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 20577 PLF 747 DEF 3068		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 20630 PLF 748 DEF 3069		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 20724 PLF 749 DEF 3070		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 20731 PLF 750 DEF 3071		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 20766 PLF 751 DEF 3072		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Lot 20780 PLF 752 DEF 3073		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 20814 PLF 753 DEF 3074		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 20958 PLF 754 DEF 3075		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 21008 PLF 755 DEF 3076		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 21010 PLF 756 DEF 3077		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 21023 PLF 757 DEF 3078		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 21031 PLF 758 DEF 3079		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 21034 PLF 759 DEF 3080		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Lot 21417 PLF 760 DEF 3081				<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 21427 PLF 761 DEF 3082				<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 21436 PLF 762 DEF 3083				<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 21671 PLF 763 DEF 3084				<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 21803 PLF 764 DEF 3085				<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 22316A PLF 765 DEF 3086				<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 22316B PLF 766 DEF 3087				<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Lot 22370 PLF 767 DEF 3088		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 22444 PLF 768 DEF 3089		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 22570 PLF 769 DEF 3090		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 22624 PLF 770 DEF 3091		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 22679 PLF 771 DEF 3092		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 22743 PLF 772 DEF 3093		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 22812 PLF 773 DEF 3094		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 23375 PLF 774 DEF 3095		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Lot 23402 PLF 775 DEF 3096		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 23661 PLF 776 DEF 3097		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 23748 PLF 777 DEF 3098		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 23800 PLF 778 DEF 3099		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 23845 PLF 779 DEF 3100		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 23846 PLF 780 DEF 3101		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 23885 PLF 781 DEF 3102		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Lot 23887 PLF 782 DEF 3103		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 23888 PLF 783 DEF 3104		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 23893 PLF 784 DEF 3105		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 23896 PLF 785 DEF 3106		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 24172 PLF 786 DEF 3107		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 24379 PLF 787 DEF 3108		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 24380 PLF 788 DEF 3109		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Lot 24443 PLF 789 DEF 3110		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 24486 PLF 790 DEF 3111		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 24624 PLF 791 DEF 3112		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 24727 PLF 792 DEF 3113		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 24728 PLF 793 DEF 3114		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 24880 PLF 794 DEF 3115		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 24881 PLF 795 DEF 3116		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No


Lot 24883 PLF 796 DEF 3117		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 25438 PLF 797 DEF 3118		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 25741 PLF 798 DEF 3119		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 25742 PLF 799 DEF 3120		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 25763 PLF 800 DEF 3121		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 25833 PLF 801 DEF 3122		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 25834 PLF 802 DEF 3123		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Lot 25835 PLF 803 DEF 3124		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 25836 PLF 804 DEF 3125		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 26018 PLF 805 DEF 3126		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 26019 PLF 806 DEF 3127		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 26401 PLF 807 DEF 3128		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 26499 PLF 808 DEF 3129		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 26501 PLF 809 DEF 3130		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Lot 26575 PLF 810 DEF 3131		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 26576 PLF 811 DEF 3132		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 26638 PLF 812 DEF 3133		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 26754 PLF 813 DEF 3134		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 27257 PLF 814 DEF 3135		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 27258 PLF 815 DEF 3136		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 27888 PLF 816 DEF 3137		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No




Lot 28482 PLF 817 DEF 3138		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 28754 PLF 818 DEF 3139		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 28874 PLF 819 DEF 3140		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 28875 PLF 820 DEF 3141		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 29312 PLF 821 DEF 3142		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 29315 PLF 822 DEF 3143		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 29425 PLF 823 DEF 3144		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No





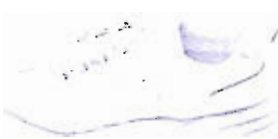


Lot 29427 PLF 824 DEF 3145		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 29510A PLF 825 DEF 3146		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 29510B PLF 826 DEF 3147		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 29600 PLF 827 DEF 3148		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 29701 PLF 828 DEF 3149		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 29721 PLF 829 DEF 3150		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 29822 PLF 830 DEF 3151		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Lot 29933 PLF 831 DEF 3152		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 30047 PLF 832 DEF 3153		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 30050 PLF 833 DEF 3154		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 30051 PLF 834 DEF 3155		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 30052 PLF 835 DEF 3156		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 30313 PLF 836 DEF 3157		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 30337 PLF 837 DEF 3158		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Lot 30403 PLF 838 DEF 3159		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 31077 PLF 840		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 31079 PLF 840		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 31221 PLF 841 DEF 3160		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 31432 PLF 842 DEF 3161		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 31433 PLF 843 DEF 3162		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 31460 PLF 844 DEF 3163		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Lot 31663 PLF 845 DEF 3164		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 31753 PLF 846 DEF 3165		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 31759 PLF 847 DEF 3166		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 31772 PLF 848 DEF 3167		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 31870 PLF 849 DEF 3168		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 31875 PLF 850 DEF 3169		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 32015 PLF 851 DEF 3170		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Lot 33441 PLF 852 DEF 3170			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 33453 PLF 853 DEF 3172			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 33457 PLF 854 DEF 3173			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 33646 PLF 855 DEF 3174			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 34309 PLF 856 DEF 3175			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 34370 PLF 857 DEF 3176			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 34761 PLF 858 DEF 3177			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Lot 34770 PLF 859 DEF 3178		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 34838 PLF 860 DEF 3179		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 34865 PLF 861 DEF 3180		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 34907 PLF 862 DEF 3181		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 35437 PLF 863 DEF 3182		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 35438 PLF 864 DEF 3183		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 35663 PLF 865 DEF 3184		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Lot 35904 PLF 866 DEF 3185		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 36783 PLF 867 DEF 3186		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 37105 PLF 868 DEF 3187		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 37106 PLF 869 DEF 3188		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 37107 PLF 870 DEF 3189		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 37638 PLF 871 DEF 3190		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 37643 PLF 872 DEF 3191		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Lot 38502 PLF 873 DEF 3192		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 38504 PLF 874 DEF 3193		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 38571 PLF 875 DEF 3194		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 38784 PLF 876 DEF 3195		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 38868 PLF 877 DEF 3196		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 38869 PLF 878 DEF 3197		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 39024 PLF 879 DEF 3198		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 39155 PLF 880 DEF 3199		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Lot 39317 PLF 881 DEF 3200		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 39465 PLF 882 DEF 3201		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 39467 PLF 883 DEF 3202		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 39468 PLF 884 DEF 3203		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 39531 PLF 885 DEF 3204		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 39532 PLF 886 DEF 3205		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 39935 PLF 887 DEF 3206		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Lot 40079 PLF 888 DEF 3207		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 40098 PLF 889 DEF 3208		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 40250 PLF 890 DEF 3209		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 40521 PLF 891 DEF 3210		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 40523 PLF 892 DEF 3211		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 40601 PLF 893 DEF 3212		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 41148 PLF 894 DEF 3213		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

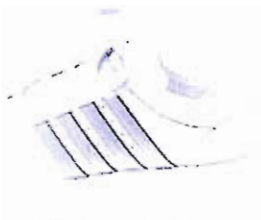


Lot 41349 PLF 895 DEF 3214		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 41350 PLF 896 DEF 3215		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 41351 PLF 897 DEF 3216		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 41596 PLF 898 DEF 3217		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 41905 PLF 899 DEF 3218		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 41908 PLF 900 DEF 3219		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 42006 PLF 901 DEF 3220		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Lot 42022 PLF 902 DEF 3221		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 42181 PLF 903 DEF 3222		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 42614 PLF 904 DEF 3223		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 43455 PLF 905 DEF 3224		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 43695 PLF 906 DEF 3225		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 43696 PLF 907 DEF 3226		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 43814 PLF 908 DEF 3227		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 43855 PLF 909 DEF 3228		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Lot 43856 PLF 910 DEF 3229		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 44082 PLF 911 DEF 3230		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 44478 PLF 912 DEF 3231		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 44580 PLF 913 DEF 3232		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 44581 PLF 914 DEF 3233		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 44691 PLF 915 DEF 3234		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 44692 PLF 916 DEF 3235		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 44712 PLF 917 DEF 3236		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Lot 44929 PLF 918 DEF 3237		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 44957 PLF 919 DEF 3238		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 44958 PLF 920 DEF 3239		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 44980 PLF 921 DEF 3240		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 45059 PLF 922 DEF 3241		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 45467 PLF 923 DEF 3242		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 45478 PLF 924 DEF 3243		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Lot 45530 PLF 925 DEF 3244		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 45531 PLF 926 DEF 3245		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 46012 PLF 927 DEF 3246		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 46661 PLF 928 DEF 3247		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 46662 PLF 929 DEF 3248		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 46799 PLF 930 DEF 3249		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 47003 PLF 931 DEF 3250		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Lot 47004 PLF 932 DEF 3251		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 47318 PLF 933 DEF 3252		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Lot 47661 PLF 934 DEF 3253		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Section III. Monetary Recovery

- 8) State the amount of actual damages that should be awarded to adidas, if any.

\$ 30,610,179

- 9) Do you find that Payless acted willfully or in bad faith with regard to any of the claims in Question Nos. 1-7 above for which you answered "Yes"?

✓ Yes _____ No

- 10) If you answered "Yes" to Question No. 9, state the amount of Payless's profits that should be awarded to adidas, if any.

\$ 137,003,578.

- 11) Concerning a possible award of punitive damages, do you find that Payless has acted with malice, or in wanton and reckless disregard of the rights of adidas, or if deterrence is called for and Payless's conduct is particularly aggravated?

✓ Yes _____ No

///

///

/// *please continue to the next page*

- 12) If you answered "Yes" to Question No. 11, state the amount of punitive damages that should be awarded to adidas, if any.

\$ 137,003,578

The presiding juror should sign and date this verdict form.

Dated this 5th day of May, 2008.

Asemath Rice
Presiding Juror